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2145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Akifumi Nakada

SERIAL NO.: 09/832,488

ART UNIT: 2145

FILED: April 11, 2001

EXAMINER: Ajay M. Bhatia

TITLE: METHOD HANDLING METHOD, FOR MOBILE AGENT IN A  
DISTRIBUTED COMPUTER ENVIRONMENT

ATTORNEY DOCKET NO.: 954-007861-US(D01)

Mail Stop Petition

Commissioner of Patents

PO Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

UNDER M.P.E.P. §§711.02 and 711.03(c)

Sir:

The applicant petitions for the withdrawal of the holding of abandonment and the issuance of a new Office Action for the above-identified United States patent application.

In an Office communication from the United States Patent and Trademark Office Mailed March 2, 2006, the undersigned was notified of the abandonment of the subject application for failure to respond to an Office letter mailed June 15, 2005. Upon an inquiry to the Patent Office, Applicant was advised that an Office Action was mailed by the Patent Office on June 15, 1006. Applicant submits that said Office Action was never received.

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The applicant hereby petitions for the withdrawal of this holding of abandonment and request the issuance of a new Office Action setting a new time period during which Applicant may respond. This petition is requested under M.P.E.P. §§711.02 and 711.03(c), and the District Court, District of Columbia's decision in Delgar, Inc. v. Schuyler, 172 USPQ 513 (D.D.C. 1971) because the Office Action mailed June 15, 2005 was not received by the applicant.

The failure to respond to the Office Action was unintentional and caused by circumstances beyond Applicant's knowledge or control, as evidenced by the declaration of Applicant's Attorney, attached as Appendix I. Applicant submits further evidence in Exhibits A-C of Appendix I in support of this Petition.

In accordance with MPEP, section 711.03(c), the following is submitted with this petition: (1) a statement by Applicant's attorney that the Office action was not received by Applicant's attorney (see paragraph 1 of Declaration); (2) a statement attesting that a search of the file jacket and docket records indicates that the Office action was not received (see paragraph 6 of the Declaration); and (3) a copy of the mail log and docket record for the time period during which the non-received Office action would have been entered had it been received (see Exhibits A and B to the Declaration).

It is the understanding of Applicant that no fees will be charged for this petition. Please charge Deposit Account 16-1350 for any additional fee required.



Respectfully submitted,

Geza C. Ziegler, Jr.  
Reg. No. 44,004

28 MARCH 2006

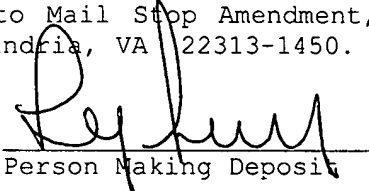
Date

Perman & Green, LLP  
425 Post Road  
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(203) 259-1800  
Customer No.: 2512

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 28 March 2006

Signature: 

Person Making Deposit



APENDIX I

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Akifumi Nakada

SERIAL NO.: 09/832,488

ART UNIT: 2145

FILED: April 11, 2001

EXAMINER: Ajay M. Bhatia

TITLE: METHOD HANDLING METHOD, FOR MOBILE AGENT IN A DISTRIBUTED  
COMPUTER ENVIRONMENT

ATTORNEY DOCKET NO.: 954-007861-US(PAR)

Mail Stop Petition

Commissioner of Patents

PO Box 1450

Alexandria, VA 22313-1450

DECLARATION IN SUPPORT OF PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER MPEP 711.03(a)

Sir:

In support of the attached Petition to Withdraw the Holding of Abandonment I, Geza C. Ziegler, Attorney for Applicant, registration number 44,004, do hereby declare that:

(1) Upon information and belief, the Office Action, which was issued by the Patent & Trademark Office in the subject Application on June 15, 2005 was never received by Applicant's Attorney until obtained on the Internet by Applicant's Attorney after receiving the Notice of Abandonment on March 6, 2006;

(2) Upon information and belief, our docketing clerk, in accordance with the standard docketing practice employed by the law firm of Perman & Green, LLP, 425 Post Road, Fairfield, CT

06824, (hereinafter referred to as the Firm), manually records docketable communications in the Daily Mail Log on days when such docketable communications are received. Our docketing clerk does not create a log sheet in the Daily Mail Log on days when no docketable communications are received. This practice was in place and continuously performed during the period when the June 15, 2005 Office Action would have been received at the Firm;

(3) Exhibit A is comprised of copies of the consecutive mail log sheets from the Daily Mail Log that is maintained by our docketing clerk for the period running from June 1, 2005 through August 31, 2005. Upon information and belief, Exhibit A indicates all of the Office communications docketed by our docketing clerk, between the above mentioned dates. Any docketed Office communication having a mailing date of June 15, 2005 would have been recorded within the pages comprising Exhibit A;

(4) Exhibit A, shows that six Office communications having mailing dates of June 15, 2005 were received by the firm. None of said Office communications were in reference to the instant patent application. A search of the file jackets for the applications corresponding to the above six communications revealed that the office action dated June 15, 2005 for the subject application was not mis-filed therein;

5) As a separate part of the standard docketing procedures set up by the Firm and in place at the time of the events stated herein, a computerized docket system was employed to record prosecution events with respect to specific applications. As part of the standard docketing system used by the Firm, our docketing clerk updates the data base whenever a document requiring a

response is received from the Patent Office. Attached as Exhibit B is a report dated 27 March 2006 relating to docket file 954-007861 US(DO1) which indicates that no Office Action was docketed, and further a search of the Docket records of the firm confirms that there were no communications docketed having due dates of September 15, 2005, other than the six items indicated in paragraph 4 above;

(6) a search of the file jacket of the subject application associated with said application indicates that the June 15, 2005 Office Action was not received;

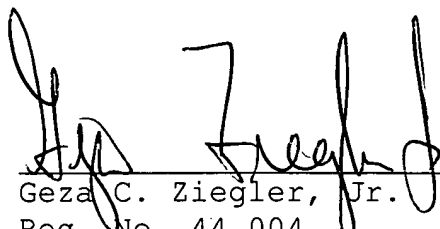
(7) On March 6, 2006, a Notice of Abandonment was received by the Firm in the subject application. This Notice was prompted by a inquiry by Applicant's Attorney. A copy of the Notice of Abandonment is attached hereto as Exhibit C. This was the first time I became aware that a Office Action had been issued in this application. An investigation was immediately undertaken to discover the events leading up to the Notice of Abandonment and we have concluded, based on the above facts, that the Office Action was not received. Work on the Petition to Withdraw Holding of Abandonment commenced at the time of receipt of the Notice of Abandonment and has proceeded diligently until filed; and

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that



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such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

28 MARCH 2006  
Date

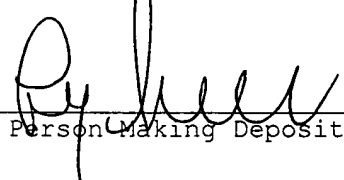
Perman & Green, LLP  
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(203) 259-1800  
Customer No.: 2512

#### CERTIFICATE OF MAILING

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Date: 28 March 2006

Signature: \_\_\_\_\_

  
Person Making Deposit

DATE: Wed 6-1-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER   | DATE MAILED | ACTION DUE        | DATE ACTION DUE |
|-------|---------------------|-------------|-------------------|-----------------|
| DMW   | 810-010550-US(PAR)  | 5-26-05     | Issue/Pub. Fees   | 8-26-05         |
| HIS   | 774-010234-US(PAR)  | 5-27-05     | "                 | 8-27-05         |
| JVG   | 297-010947-US(PAR)  | 5-23-05     | "                 | 8-23-05         |
| G-A   | 684-012214-US(PAR)  | 5-25-05     | Missing Parts     | 7-25-05         |
| G-A   | 886-012211-US(PAR)  | 5-25-05     | "                 | 7-25-05         |
| RDG   | 460-010928-US(PAR)  | 5-25-05     | US-FINAL          | 8-25-05         |
| DMW   | 939-011495-US(PAR)  | 5-27-05     | "                 | 8-27-05         |
| HIS   | 460-010247-US(PAR)  | 5-31-05     | "                 | 8-31-05         |
| SM    | 785-011767-US(PAR)  | 5-24-05     | "                 | 8-24-05         |
| G-A   | 785-011775-US(PAR)  | 5-23-05     | "                 | 8-23-05         |
| RDG   | 297-010397-US(PAR)  | 5-20-05     | US-3mon           | 8-20-05         |
| G-A   | 704-011550-US(PAR)  | 5-23-05     | "                 | 8-23-05         |
| SM    | 785-011779-US(coil) | 5-24-05     | "                 | 8-24-05         |
| GCZ   | 770-011617-US(PAR)  | 5-25-05     | "                 | 8-25-05         |
| JVG   | 770-011699-US(PAR)  | 5-25-05     | Not of Inc. Reply | 6-10-05         |





DATE: Thur. June 2

## DAILY MAIL LOG

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DATE: Mon. 6-6-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER              | DATE MAILED | ACTION DUE      | DATE ACTION DUE |
|-------|--------------------------------|-------------|-----------------|-----------------|
| RDG   | 460-009986-US(PAR)             | 6-2-05      | Advisory Action | 6-20-05 DD      |
| DMW   | 473-010326-US(PAR)             | 6-1-05      | "               | 7-12-05 DD      |
| RDG   | <del>460</del> -010126-US(PAR) | 6-2-05      | "               | 8-23-05 DD      |
| G-A   | 785-011086-US(PAR)             | 6-2-05      | Rest. Rec       | 7-2-05          |
| HIS   | 460-007649-US(PAR)             | 6-2-05      | "               | 7-2-05          |
| HIS   | 413-010763-US(PAR)             | 6-3-05      | Advisory Action | 6-24-05         |
| HIS   | 873-01174-US(PAR)              | 6-3-05      | Rest. Rec       | 7-3-05          |
| G-A   | 785-011688-US(COI)             | 6-3-05      | "               | 7-3-05          |
| JVG   | 770P009595-US(PAR)             | 6-2-05      | FINAL           | 9-2-05          |
| G-A   | 954-010350-US(PAR)             | 6-2-05      | "               | 9-2-05          |
| RDG   | 297-010568-US(PAR)             | 6-2-05      | "               | 9-3-05          |
| G-CZ  | 460-010404-US(PAR)             | 6-3-05      | "               | 9-3-05          |
| RDG   | 770P010635-US(PAR)             | 6-2-05      | "               | 9-2-05          |
| G-A   | 785-011502-US(PAR)             | 6-3-05      | US-3mon         | 9-3-05          |
| G-A   | <del>859</del> -010740-US(PAR) | 6-3-05      | "               | 9-3-05          |
| UM    | 895-01153-US(COI)              | 6-2-05      | "               | 9-2-05          |

DATE: 6-6-05 (Cont)

DAILY MAIL LOG

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| RDG   | 309-009397-US(GI)              | 6-2-05              | US-2mon          | 9-2-05          |
| HIS   | <del>360</del> -010088-US(PAR) | 6-1-05              | "                | 9-1-05          |
| GCZ   | 528-009766-US(PAR)             | 6-1-05              | "                | 9-1-05          |
| DMW   | 442-009400-US(PAR)             | 6-1-05              | "                | 9-1-05          |
| HIS   | 950-009922-US(PAR)             | 6-3-05              | "                | 9-3-05          |
| G-A   | 871-011372-US(PAR)             | 6-3-05              | "                | 9-3-05          |
| G-A   | 941-012025-US(PAR)             | 6-1-05              | Missing Rec      | 8-1-05          |
| G-A   | 893-012206-US(PAR)             | 6-1-05              | Missing Part     | 8-1-05          |
| GCZ   | <del>858</del> -008702-US(PAR) | 6-1-05              | Issue Fee        | 9-1-05          |
| JVG   | 390P01178-US(PAR)              | <del>5</del> -25-05 | Issue/Publ. Fees | 8-25-05         |
| JM    | 785-011169-US(GI)              | 6-2-05              | Interview Sum.   | 7-2-05          |
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| ATTY. | P&G DOCKET NUMBER  | DATE MAILED | ACTION DUE      | DATE ACTION DUE |
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| G-A   | 946-012024-US(PAR) | 6-7-05      | Missing Rec't   | 8-7-05          |
| GCZ   | 297-008889-US(PAR) | 6-7-05      | Advisory Action | 9-7-05 DD       |
| SM    | 620-010472-US(PAR) | 6-8-05      | Not Non Compl.  | 7-8-05          |
| GCZ   | 324-010964-US(PAR) | 6-6-05      | FINAL           | 9-6-05          |
| RDG   | 617-009973-US(PAR) | 6-6-05      | "               | 9-6-05          |
| HIS   | 225-011316-US(PAR) | 6-6-05      | "               | 9-6-05          |
| JVG   | 860-011429-US(PAR) | 6-6-05      | "               | 9-6-05          |
| GCZ   | 460-010714-US(PAR) | 6-6-05      | "               | 9-6-05          |
| RDG   | 690-009608-US(PAR) | 6-6-05      | US-3mon         | 9-6-05          |
| GCZ   | 950-011753-US(PAR) | 6-7-05      | "               | 9-7-05          |
| HIS   | 770P009584-US(PCT) | 6-7-05      | "               | 9-7-05          |
| JVG   | 770P011494-US(PAR) | 6-6-05      | "               | 9-6-05          |
| RDG   | 324-010533-US(PAR) | 6-6-05      | "               | 9-6-05          |
| GCZ   | 770-011466-US(PAR) | 6-6-05      | "               | 9-6-05          |
| JVG   | 860-011340-US(PAR) | 6-6-05      | Issue/Pob Fees  | 9-6-05          |
| HIS   | 297-010345-US(PAR) | 6-6-05      | "               | 9-6-05          |
| RDG   | 460-009386-US(PAR) | 6-7-05      | Issue Fee       | 9-7-05          |

DATE: Fri 6-10-05

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DATE: MON. 6-13-05

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DATE: Tue 6-14-05

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DATE: Wed. 6-15-05

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DATE: Thurs. 6-16-05

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DAILY MAIL LOG

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| JVG   | 460-010890-US(PAR) | 6-16-05     | FINAL           | 9-16-05         |
| HLS   | 460-010076-US(PAR) | 6-17-05     | "               | 9-17-05         |
| GCZ   | 297-010978-US(PAR) | 6-17-05     | "               | 9-17-05         |
| DMW   | 810-010249-US(PAR) | 6-16-05     | "               | 9-16-05         |
| RDG   | 324-010707-US(PAR) | 6-16-05     | Advisory Action | 8-8-05 DD       |
| JVG   | 200-008830-US(PAR) | 6-17-05     | Not Non-Comp.   | 7-17-05         |
| G-A   | 893-012238-US(PAR) | 6-17-05     | Missing Parts   | 8-17-05         |
| G-A   | 893-012239-US(PAR) | 6-16-05     | "               | 8-16-05         |
| GCZ   | 770-011452-US(PAR) | 6-16-05     | US-3MON         | 9-16-05         |
| GCZ   | 413-010737-US(PAR) | 6-15-05     | "               | 9-15-05         |
| GCZ   | 324-010968-US(TOI) | 6-16-05     | "               | 9-16-05         |
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DATE: Thur 6-23

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER  | DATE MAILED | ACTION DUE        | DATE ACTION DUE |
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| GCZ   | 617-010265-US(PAR) | 6-20-05     | Issue/Pub Fees    | 9-20-05         |
| HIS   | 297-010843-US(PAR) | 6-20-05     | "                 | 9-20-05         |
| HIS   | 460-010010-US(PAR) | 6-20-05     | US-FINAL          | 9-20-05         |
| JVG   | 860-011813-US(PAR) | 6-20-05     | Issue/Pub Fees    | 9-20-05         |
| JVG   | 871-011405-US(PAR) | 6-20-05     | Rest. Res         | 7-20-05         |
| SM    | 785-011025-US(PAR) | 6-21-05     | Advisory Action   | 7-13-05 PD      |
| GCZ   | 770P009588-US(PAR) | 6-21-05     | US-3mon           | 9-21-05         |
| G-A   | 684-012241-US(PAR) | 6-21-05     | Missing Parts     | 8-21-05         |
| G-A   | 941-012057-US(PAR) | 6-21-05     | Missing Re 4      | 8-21-05         |
| G-A   | 324-012240-US(PAR) | 6-21-05     | Missing Parts     | 8-21-05         |
| JM    | 879P011769-US(PAR) | 6-21-05     | File Corr. Papers | 8-21-05         |
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DATE: Fri. 6-24-05

## DAILY MAIL LOG

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DATE: Mon. 6-27-05

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DATE: Tues. 6-28-05

# DAILY MAIL LOG

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7-1-05

## DAILY MAIL LOG

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DATE: Tue 7-5-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER                 | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|-----------------------------------|-------------|------------|-----------------|
| G-A   | 324-010911-US(PAR)                | 6-27-05     | FINAL      | 9-27-05         |
| G-A   | 413-010125-US(PAR)                | 6-28-05     | "          | 9-28-05         |
| DMW   | 460-010812-US(PAR)                | 6-29-05     | "          | 9-29-05         |
| GCZ   | 390-010852-US(PAR)                | 6-23-05     | "          | 9-23-05         |
| JVG   | 390-008764-US(PAR)                | 6-23-05     | "          | 9-23-05         |
| HIS   | 297-010484-US(PAR)                | 6-23-05     | "          | 9-23-05         |
| JVG   | 871-011441-US(PAR)                | 6-20-05     | US-3 MON   | 9-20-05         |
| HIS   | 460-010909-US(PAR)                | 6-24-05     | "          | 9-24-05         |
| GCZ   | 413-010957-US(PAR)                | 6-28-05     | "          | 9-28-05         |
| G-A   | 460-010860-US(PAR)                | 6-27-05     | "          | 9-27-05         |
| GCZ   | 460-010814-US(PAR)                | 6-29-05     | "          | 9-29-05         |
| GCZ   | <del>858</del> 806-010347-US(PAR) | 6-29-05     | "          | 9-29-05         |
| GCZ   | 806-010631-US(PAR)                | 6-29-05     | "          | 9-29-05         |
| GCZ   | 835-010877-US(PAR)                | 6-28-05     | "          | 9-28-05         |
| JVG   | 858-009453-US(CO)                 | 6-28-05     | "          | 9-28-05         |
| GCZ   | 324-010620-US(PAR)                | 6-24-05     | "          | 9-24-05         |

DATE: 7-5-05 (cont)

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER   | DATE MAILED | ACTION DUE     | DATE ACTION DUE |
|-------|---------------------|-------------|----------------|-----------------|
| G-A   | 785-012112-US (COI) | 6-24-05     | US-3 MON       | 9-24-05         |
| G-A   | 785-011065-US (PAR) | 6-23-05     | "              | 9-23-05         |
| G-A   | 460-010860-US (PAR) | 6-27-05     | "              | 9-27-05         |
| G-CZ  | 684-011274-US (PAR) | 6-27-05     | "              | 9-27-05         |
| G-A   | 939-012027-US (PAR) | 6-27-05     | Missing Req't  | 8-27-05         |
| JM    | 396-010262-US (COI) | 6-23-05     | Missing Parts  | 8-23-05         |
| G-A   | 886-012250-US (PAR) | 6-29-05     | "              | 8-29-05         |
| G-A   | 324-012235-US (PAR) | 6-29-05     | "              | 8-29-05         |
| G-A   | 893-012249-US (PAR) | 6-29-05     | "              | 8-29-05         |
| G-A   | 893-012248-US (PAR) | 6-29-05     | "              | 8-29-05         |
| G-A   | 684-012226-US (PAR) | 6-24-05     | "              | 8-24-05         |
| G-A   | 324-010607-US (PAR) | 6-23-05     | Issue/Pub Fees | 9-23-05         |
| G-CZ  | 460-010009-US (COI) | 6-23-05     | "              | 9-23-05         |
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DATE: Wed 7-6-05

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DATE: FFI 7-8-05

## DAILY MAIL LOG

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DATE: Mon. 7-11-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER             | DATE MAILED | ACTION DUE            | DATE ACTION DUE |
|-------|-------------------------------|-------------|-----------------------|-----------------|
| GCZ   | 785-012023-US(COI)            | 7-8-05      | Rest. Req             | 8-8-05          |
| JM    | 257-011351-US(PAR)            | 7-7-05      | FINAL                 | 10-7-05         |
| GCZ   | 836-009469-US(PAR)            | 7-8-05      | "                     | 10-8-05         |
| G-A   | <del>460</del> 010517-US(PAR) | 7-8-05      | US-3mon               | 10-8-05         |
| HIS   | 770P009600-US(PAR)            | 7-6-05      | "                     | 10-6-05         |
| GCZ   | 770P009677-US(PAR)            | 7-6-05      | "                     | 10-6-05         |
| GCZ   | 460-010248-US(PAR)            | 7-6-05      | "                     | 10-6-05         |
| G-A   | 886-012071-US(PAR)            | 7-7-05      | Missing Rest          | 9-7-05          |
| HIS   | 460-010109-US(DOI)            | 7-7-05      | File Corrected Papers | 9-7-05          |
| JM    | 390P011831-US(PAR)            | 7-7-05      | Missing Parts         | 9-7-05          |
| G-A   | 893-012238-US(TOI)            | 7-8-05      | "                     | 9-8-05          |
| GCZ   | 981-011984-US(PAR)            | 7-8-05      | "                     | 9-8-05          |
| G-A   | 836-012270-US(PAR)            | 7-8-05      | "                     | 9-8-05          |
| RDG   | 981-012006-US(PAR)            | 7-8-05      | "                     | 9-8-05          |
| G-A   | 939-012263-US(PAR)            | 7-8-05      | "                     | 9-8-05          |
|       | 445-011075-US(PAR)            | 7-7-05      | Leave/ Pub Fee        | 10-7-05         |

DATE: Thur. 7-14-05

DAILY MAIL LOG

| ATTY.          | P&G DOCKET NUMBER   | DATE MAILED | ACTION DUE         | DATE ACTION DUE |
|----------------|---------------------|-------------|--------------------|-----------------|
| GCZ            | 460-010421-US (PAR) | 7-12-05     | Advisory Action    | 9-28-05DD       |
| JM             | 257-011175-US (PAR) | 7-11-05     | Not of Non-Camp    | 8-11-05         |
| RDC            | 446-011602-US (PAR) | 7-11-05     | Rest. Rec          | 8-11-05         |
| <del>RDC</del> | 810-010971-US (PAR) | 7-11-05     | US-3MON            | 10-11-05        |
| GCZ            | 297-009040-US (PAR) | 7-12-05     | "                  | 10-12-05        |
| RDC            | 460-010211-US (PAR) | 7-12-05     | US-FINAL           | 10-12-05        |
| GCZ            | 819P010360-US (PAR) | 7-11-05     | "                  | 10-11-05        |
| DMW            | 810-010628-US (PAR) | 7-12-05     | "                  | 10-12-05        |
| G-A            | 684-012221-US (PAR) | 7-12-05     | Missing Parts      | 9-12-05         |
| G-A            | 324-012236-US (PAR) | 7-11-05     | "                  | 9-11-05         |
| G-A            | 886-012064-US (PAR) | 7-11-05     | Missing Rec 4      | 9-11-05         |
| GCZ            | 690-009486-US (PAR) | 7-11-05     | Advisory Action    | 7-15-05         |
| JM             | 999P012215-US (PAR) | 7-11-05     | File Corr. Papers  | 9-11-05         |
| SM             | 044-010457-US (PAR) | 7-11-05     | Issue fee/Drawings | 10-11-05        |
| BK/GCZ         | 873-011428-US (PAR) | 7-12-05     | "                  | 10-12-05        |

DATE: Fri - 7-15-05

## DAILY MAIL LOG

[illegible]

DATE: Tues 7-19-05

DAILY MAIL LOG

| ATTY.  | P&G DOCKET NUMBER   | DATE MAILED | ACTION DUE      | DATE ACTION DUE |
|--------|---------------------|-------------|-----------------|-----------------|
| HIS    | 324-010233-US (PAR) | 7-15-05     | Advisory Action | 7-19-05         |
| GCZ    | 442-010429-US (PAR) | 7-15-05     | " "             | 8-7-05          |
| G-A    | 886-011595-US (PAR) | 7-14-05     | US-2 MON        | 9-14-05         |
| G-A    | 886-012294-US (PAR) | 7-15-05     | Missing Parts   | 9-15-05         |
| G-A    | 324-012237-US (PAR) | 7-15-05     | " "             | 9-15-05         |
| DMW    | 324-010927-US (PAR) | 7-14-05     | FINAL           | 10-14-05        |
| G-A    | 413-010736-US (PAR) | 7-15-05     | US-3 MON        | 10-15-05        |
| GCZ    | 324-010115-US (PAR) | 7-15-05     | " "             | 10-15-05        |
| GCZ    | 770PO11464-US (PAR) | 7-14-05     | " "             | 10-14-05        |
| JVG    | 390PO10255-US (PAR) | 7-14-05     | " "             | 10-14-05        |
| BK/GCZ | 723PO10046-US (PAR) | 7-14-05     | " "             | 10-14-05        |
| RDG    | 460-009986-US (PAR) | 7-14-05     | Issue/Abl Fees  | 10-14-05        |
| RDG    | 950-011156-US (PAR) | 7-15-05     | " "             | 10-15-05        |
| JTM    | 925-004023-US (PAR) | 7-15-05     | Issue Fee/Dwy   | 10-15-05        |
|        |                     |             |                 |                 |
|        |                     |             |                 |                 |



DATE: Wed. 7-20-05

# DAILY MAIL LOG

[illegible]

DATE: 7-21-1965

## DAILY MAIL LOG

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DATE: FFI

# DAILY MAIL LOG

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DATE: MON 7-25-05

## DAILY MAIL LOG

[illegible]

DATE: Wed 7-27-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER                  | DATE MAILED        | ACTION DUE      | DATE ACTION DUE |
|-------|------------------------------------|--------------------|-----------------|-----------------|
| HIS   | <del>873</del> 873-011174-US (PAR) | 7-23-05            | US-3 MON        | 10-23-05        |
| JVG   | 860-011323-US                      | 7-22-05            | "               | 10-22-05        |
| SM    | 690-01191-US (PAR)                 | 7-22-05            | "               | 10-22-05        |
|       | <del>873</del> 873-011174-US (PAR) | <del>7-22-05</del> |                 |                 |
| RDG   | 843-010811-US (PAR)                | 7-22-05            | FINAL           | 10-22-05        |
| G-A   | 684-012300-US (PAR)                | 7-25-05            | Missing Parts   | 9-25-05         |
| JVG   | 297-010769-US (PAR)                | 7-25-05            | Advisory Action | 8-3-05          |
| JVG   | 460-009524-US (PAR)                | 7-25-05            | "               | 7-19-05         |
| HIS   | <del>296</del> 296-010339-US (PAR) | 7-25-05            | FINAL           | 10-25-05        |
| PMW   | 297-010346-US (PAR)                | 7-25-05            | "               | 10-25-05        |
| HIS   | 297-009078-US (PAR)                | 7-25-05            | US-3 MON        | 10-25-05        |
|       |                                    |                    |                 |                 |
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DATE: Thur. 7-28-

## DAILY MAIL LOG

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DATE: Mon. 8-1-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER             | DATE MAILED | ACTION DUE      | DATE ACTION DUE      |
|-------|-------------------------------|-------------|-----------------|----------------------|
| RDG   | 690-009513-US(PAR)            | 7-27-05     | Advisory Action | 8-10-05              |
| JVG   | 860-011614-US(PAR)            | 7-28-05     | "               | 8-18-05              |
| G CZ  | 390-010852-US(PAR)            | 7-28-05     | "               | 9-23-05              |
| G CZ  | <del>460</del> 010100-US(PAR) | 7-27-05     | Dwgs            | 9-27-05              |
| RDG   | 836-010675-US(PAR)            | 7-29-05     | US-1 MON        | 8-29-05              |
| JM    | 390-011458-US(PAR)            | 7-29-05     | Not-Inc. Reply  | <del>8</del> 9-29-05 |
| JM    | 390P012320-US( #)             | 7-29-05     | Missing Parts   | 9-29-05              |
| JM    | 390-009396-US(PAR)            | 7-29-05     | Issue/Publ Fees | 10-29-05             |
| G CZ  | 297-010102-US(PAR)            | 7-28-05     | "               | 10-28-05             |
| RDG   | 225-010578-US(PAR)            | 7-27-05     | "               | 10-27-05             |
| RDG   | 297-009504-US(PAR)            | 7-27-05     | Exam's Answer   | 9-27-05              |
| RDG   | 324-010707-US(PAR)            | 7-27-05     | US-3 MON        | 10-27-05             |
| G-A   | 225-011258-US(PAR)            | 7-28-05     | "               | 10-28-05             |
| HIS   | 324-010440-US(PAR)            | 7-28-05     | "               | 10-28-05             |
| JVG   | <del>896</del> 009943-US(PAR) | 7-29-05     | "               | 10-29-05             |
| G CZ  | 770P011467-US(PAR)            | 7-29-05     | "               | 10-29-05             |

DATE: Mon. 8-1-05 (cont.)

## DAILY MAIL LOG

[illegible]



DATE: Wed. 8-3-05

## DAILY MAIL LOG

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DATE: Thur. 8-4-05

## DAILY MAIL LOG

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DATE: Mon. 8-8-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER  | DATE MAILED | ACTION DUE      | DATE ACTION DUE |
|-------|--------------------|-------------|-----------------|-----------------|
| JVG   | 871-011405-US(PAR) | 8-3-05      | US-3 MON        | 11-3-05         |
| HIS   | 324-010518-US(PAR) | 8-3-05      | "               | 11-3-05         |
| JTM   | 390-011658-US(PAR) | 8-3-05      | Missing Parts   | 10-3-05         |
| G-A   | 939-012029-US(PAR) | 7-29-05     | Missing Rec 4   | 9-29-05         |
| GCZ   | 460-010297-US(PAR) | 8-3-05      | US-3 MON        | 11-3-05         |
| G-A   | 836-010650-US(PAR) | 8-5-05      | "               | 11-5-05         |
| SM    | 044-010803-US(PAR) | 8-5-05      | "               | 11-5-05         |
| RDE   | 770P009596-US(PAR) | 8-4-05      | FINAL           | 11-4-05         |
| GCZ   | 297-009503-US(PAR) | 8-5-05      | Issue Fee       | 11-5-05         |
| JVG   | 860-011073-US(PAR) | 8-5-05      | Issue/Publ Fees | 11-5-05         |
| DMW   | 413-010836-US(PAR) | 8-4-05      | "               | 11-4-05         |
| GCZ   | 490-012243-US(PAR) | 8-4-05      | Missing Parts   | 10-4-05         |
| G-A   | 836-012322-US(PAR) | 8-5-05      | "               | 10-5-05         |
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**DATE:**

# DAILY MAIL LOG

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DATE: Fri 8-11-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER  | DATE MAILED | ACTION DUE         | DATE ACTION DUE |
|-------|--------------------|-------------|--------------------|-----------------|
| ROG   | 297-009281-US(PAR) | 8-9-05      | Advisory Action    | 9-3-05          |
| GCZ   | 442-008455-US(CO)  | 8-4-05      | Dwg. Icons.        | 9-4-05          |
| JM    | 390-011307-US(PAR) | 8-9-05      | Final              | 11-9-05         |
| JVG   | 309-010104-US(PAR) | 8-9-05      | "                  | 11-9-05         |
| HIS   | 297-009990-US(PAR) | 8-8-05      | US-3MON            | 11-8-05         |
| JVG   | 460-010929-US(PAR) | 8-9-05      | "                  | 11-9-05         |
| HIS   | 324-010422-US(PAR) | 8-9-05      | "                  | 11-9-05         |
| GCZ   | 460-008876-US(PAR) | 8-9-05      | US-Final           | 11-9-05         |
| G-A   | 785-011730-US(PAR) | 8-9-05      | Missing Parts      | 10-9-05         |
| HIS   | 886-011493-US(PAR) | 8-9-05      | Issue/Pub Fees     | 11-9-05         |
| JM    | 690-011188-US(PAR) | 8-8-05      | "                  | 11-8-05         |
| JM    | 390-011218-US(PAR) | 8-9-05      | Issue/Pub Fees/Dwg | 11-9-05         |
| JVG   | 297-009169-US(PAR) | 8-9-05      | Issue Fee          | 11-9-05         |
| GCZ   | 442-010567-US(PAR) | 8-8-05      | Dwg Icons.         | 9-8-05          |
|       |                    |             |                    |                 |
|       |                    |             |                    |                 |

DATE: FFI-8-12-05

## DAILY MAIL LOG

[illegible]

DATE: Tues 8-16-05

## DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER             | DATE MAILED        | ACTION DUE      | DATE ACTION DUE |
|-------|-------------------------------|--------------------|-----------------|-----------------|
| DMLW  | 89-011328-US(PAR)             | 8-12-05            | FINAL           | 11-12-05        |
| HIS   | 460-010296-US(PAR)            | 8-12-05            | Advisory Action | 11-4-05 DD      |
| GCZ   | 770PO11329-US(PAR)            | 8-11-05            | "               | 8-31-05         |
| HIS   | 460-009420-US(PAR)            | 8-11-05            | US-3mon         | 11-11-05        |
| GCZ   | 225-010941-US(PAR)            | 8-11-05            | "               | 11-11-05        |
| SM    | 620-011019-US(PAR)            | 8-12-05            | "               | 11-12-05        |
| JVG   | 945-012329-US(PAR)            | 8-12-05            | Missing Parts   | 10-12-05        |
| G-A   | 1010-012330-US(PAR)           | 8-11-05            | "               | 10-11-05        |
|       | <del>886-011760-US(PAR)</del> | <del>8-11-05</del> |                 |                 |
| GCZ   | 862-011034-US(PAR)            | 8-12-05            | Issue/Pub Fees  | 11-12-05        |
|       |                               |                    |                 |                 |
|       |                               |                    |                 |                 |
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DATE: Thur 8-16-05

## DAILY MAIL LOG

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DATE: Fri 8-19-05

## DAILY MAIL LOG

[illegible]

DATE: MON. 8-22-05

## DAILY MAIL LOG

[illegible]

DATE: Wed. 8-24-05

## DAILY MAIL LOG

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DATE: Fri - 8-26-05

## DAILY MAIL LOG

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DATE: Mon. 8-29-05

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER  | DATE MAILED | ACTION DUE       | DATE ACTION DUE |
|-------|--------------------|-------------|------------------|-----------------|
| GCZ   | 297-010337-US(PAR) | 8-24-05     | FINAL            | 11-24-05        |
| JVG   | 858-009454-US(PAR) | 8-23-05     | US-3mon          | 11-23-05        |
| SM    | 620-010334-US(PAR) | 8-24-05     | Not of Non Comp. | 9-24-05         |
| RDG   | 770PO09657-US(PT)  | 8-24-05     | Issue Fee        | 11-24-05        |
| JVG   | 860-01162-US(PAR)  | 8-24-05     | US-3mon          | 11-24-05        |
| GCZ   | 460-010145-US(PAR) | 8-26-05     | FINAL            | 11-26-05        |
| FIS   | 617-010002-US(PAR) | 8-23-05     | US-3mon          | 11-23-05        |
| GA    | 785-012321-US(PAR) | 8-25-05     | Missing Parts    | 10-25-05        |
| RDG   | 442-010006-US(PAR) | 8-25-05     | Advisory Action  | 9-5-05          |
| JVG   | 871-011394-US(PAR) | 8-25-05     | Issue/Pub Fees   | 11-25-05        |
| GCZ   | 297-010255-US(PAR) | 8-25-05     | "                | 11-25-05        |
|       |                    |             |                  |                 |
|       |                    |             |                  |                 |
|       |                    |             |                  |                 |
|       |                    |             |                  |                 |
|       |                    |             |                  |                 |

DATE: Wed 8-31-05

## DAILY MAIL LOG

[illegible]



## Country Application

Monday, March 27, 2006

Case Number: 954-007861

Country: US

SubCase: D01

Client: IBM YORKTOWN/AGENCY

United States of America

Case Type: DIV

Application Status: Published

Area(s):

Application Number: 09/832,488

Filing Date: 11-Apr-2001

WO

Patent Number:

Issue Date:

Publication Number: 01-0013051

Publication Date: 09-Aug-2001

Priority Number: 09-152426

Priority Date: 10-Jun-1997

Tax Schedule: LE

Expiration Date:

Tax Start Date:

Agent:

Agent Reference No.:

File Establishment Date: 10-Apr-2001

Storage Company:

File Location: P&G

Box Number:

### List Of Actions

| Action(s) Du                   | Due Date    | Action Taken |             |
|--------------------------------|-------------|--------------|-------------|
| Foreign Filing Reminder        | 10-Dec-1997 | Due Date     |             |
| Foreign Filing Due             | 10-Jun-1998 | Final        |             |
| Request for Examination        | 10-Jun-2000 | Due Date     |             |
| TO BE PREP                     | 10-Jun-2001 | Due Date     | 11-Apr-2001 |
| Information Disclosure Stmt    | 11-Jul-2001 | Due Date     | 12-Dec-2001 |
| POST CARD RECEIVED             | 11-Oct-2001 | Due Date     | 30-Apr-2001 |
| Information Dis Follow Up Date | 12-Jun-2002 | Due Date     | 17-Jan-2002 |
| Application Status Check       | 11-Oct-2002 | Due Date     |             |
| 3 MON RESPONSE                 | 17-May-2004 | Due Date     | 17-May-2004 |
| 1 MON EXTENSION                | 17-Jun-2004 | Due Date     | 17-May-2004 |
| 2 MON EXTENSION                | 17-Jul-2004 | Due Date     | 17-May-2004 |
| 6 MON FINAL                    | 17-Aug-2004 | Final        | 17-May-2004 |
| DUE DT-ELECTION                | 08-Oct-2004 | Due Date     | 04-Oct-2004 |
| 1MON EXTENSION                 | 08-Nov-2004 | Reminder     | 04-Oct-2004 |
| POST CARD RECEIVED             | 17-Nov-2004 | Due Date     | 04-Jun-2004 |
| 2MON EXTENSION                 | 08-Dec-2004 | Reminder     | 04-Oct-2004 |
| 3MON EXTENSION                 | 08-Jan-2005 | Reminder     | 04-Oct-2004 |
| FINAL DEADLINE                 | 08-Feb-2005 | Final        | 04-Oct-2004 |

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## Country Application

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Monday, March 27, 2006

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|                    |             |          |             |
|--------------------|-------------|----------|-------------|
| ONE MONTH REPLY    | 16-Mar-2005 | Due Date | 23-Feb-2005 |
| POST CARD RECEIVED | 04-Apr-2005 | Due Date | 14-Oct-2004 |
| POST CARD RECEIVED | 23-Aug-2005 | Due Date | 07-Mar-2005 |

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**User ID:** CONRAD

**Date Created:** 10-Apr-2001

**Last Update:** 05-Dec-2001





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www.uspto.gov

| APPLICATION NO.                                        | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.        | CONFIRMATION NO. |
|--------------------------------------------------------|-------------|----------------------|----------------------------|------------------|
| 09/832,488                                             | 04/11/2001  | Akifumi Nakada       | 954-007861-US (D01)        | 1276             |
| 2512 <b>RDG</b> 7590                                   | 03/02/2006  |                      |                            |                  |
| PERMAN & GREEN<br>425 POST ROAD<br>FAIRFIELD, CT 06824 |             |                      | EXAMINER<br>BHATIA, AJAY M |                  |
|                                                        |             |                      | ART UNIT<br>2145           | PAPER NUMBER     |

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



# **Notice of Abandonment**

Application No.

09/832,488

Examiner

Ajay M. Bhatia

Applicant(s)

NAKADA ET AL.

Art Unit

2145

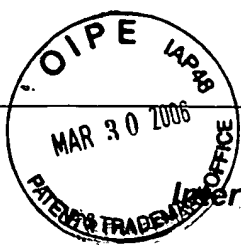
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 15 June 2005.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
**JASON CARDONE**  
SUPERVISORY PATENT EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



## Interview Summary

Application No.

09/832,488

Applicant(s)

NAKADA ET AL.

Examiner

Ajay M. Bhatia

Art Unit

2145

All participants (applicant, applicant's representative, PTO personnel):

(1) Ajay M. Bhatia.

(3) \_\_\_\_\_.

(2) Geza C. Ziegler, Jr (44,004).

(4) \_\_\_\_\_.

Date of Interview: 23 February 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: None.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner contact applicant's representative about the status of the case since applicant has not filed a response to non final action mailed 6/15/2005. Applicant's representative told examiner that they have not received the action. Examiner told applicant that they would have to revive the case. Therefore the examiner would abandon the case to allow applicant to file a petition.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

JASON CARDONE  
SUPERVISORY PATENT EXAMINER

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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